The Honorable Doug Burgum
Secretary, U.S. Department of the Interior
Department of the Interior
1849 C St, NW
Washington, DC 20240

September 30, 2026

Dear Secretary Burgum,

The undersigned organizations represent a variety of interests, including taxpayer advocates, hunters and anglers, insurance industry representatives, scientists, and conservation groups, that have demonstrated a long track record of support for the Coastal Barrier Resources Act (CBRA). We write to urge you to withdraw the recent memo by the Associate Solicitor for the Division of Parks and Wildlife to allow federally funded sand mining in CBRA-protected areas for use outside of the CBRA System. The Associate Solicitor's March 25, 2026, memo interprets the CBRA in a manner inconsistent with the text and clear intent of the law. The CBRA has three purposes: discourage coastal development that places people at risk, prevent federal expenditures that encourage development, and conserve coastal fisheries and wildlife. Federally funded sand mining in the Coastal Barrier Resources System (CBRS) runs counter to each of those goals. We urge you to work with the Associate Solicitor to withdraw this harmful interpretation so that the CBRA can continue to meet its mission.

The CBRA protects 3.8 million acres of undeveloped barrier islands, beaches, wetlands, and inlets along the Atlantic, Gulf, Great Lakes, U.S. Virgin Islands, and Puerto Rico. The CBRA prohibits most federal expenditures on areas included in the Act. It does not prohibit development, it simply withdraws the federal taxpayer from funding coastal development and re-development. As a result of prohibiting federal funding:

- The Federal Treasury has saved nearly $10 billion in avoided expenditures, with billions more in anticipated savings.
- Roughly 80% of CBRA areas remain undeveloped. These undeveloped areas provide important habitat to endangered and threatened species, including birds, marine mammals, sea turtles, fish, and shellfish.
- Undeveloped CBRA areas help absorb storm and hurricane impacts, protecting upland communities and saving millions in avoided damage costs.

The CBRA has a long history of strong bipartisan support. It was enthusiastically signed into law in 1982 by Pres. Reagan; expanded under Pres. Bush in 1990; reauthorized by Pres. Clinton in 1995; and expanded again in 2018 under Pres. Trump. Most recently, legislation expanding the CBRA passed both the House and Senate **unanimously**, and was signed into law in November 2024.

In June 2021, the U.S. Fish and Wildlife Service (USFWS) and the U.S. Geological Survey (USGS) released a report detailing how onshore sand mining can affect physical and ecological processes of coastal barriers and, in turn, how specific species, habitats, and coastal resilience can be impacted. Their report documented myriad harmful impacts to the coastal

environment and downstream coastal communities from sand mining, especially in precious undeveloped areas within the CBRA system. The USFWS's summary of the report's major findings highlights critical threats from sand mining:

- *Seafloor habitats and the food chain they support can be seriously harmed.* Changes caused by sand mining can impact the habitat of seafloor organisms, which are important food resources for shore and waterbirds and other marine species.
- *Sand mining can cause long-lasting harm to birds, fish and shellfish, and other wildlife*. Sand mining threats to fish and marine species include direct impacts from sand mining operations, and harm to "migration paths or foraging areas in which individuals congregate, or spawning, nursery or overwintering habitats." Sand mining "can affect habitats that are vital to overwintering and migrating shore- and waterbirds . . . [and] detrimental effects to shore- and waterbirds through the food web can persist for months to several years."
- *Effective measures to mitigate negative impacts from sand mining have not been developed and are not known.* The USFWS and USGS found that "[e]ffective mitigation of adverse effects at removal and placement sites is a key knowledge gap that limits the ability to predict impact and define area closures."
- *Coastal resiliency can be reduced by sand mining, that at the same time can threaten the safety of downdrift communities*. "Sediment removal . . . can impact short- and long-term coastal resilience . . . sediment removal at one location may cause downdrift shoreline erosion and reduced sediment supply at other locations. These impacts may be exacerbated by sea-level rise."

The cumulative effects over time and space of multiple sand-mining events may pose even greater threats to coastal resources. Along with these serious threats to the coastal environment, sand mining operations in CBRA units would cost the U.S. taxpayer millions of dollars. The Army Corps of Engineers (USACE) has conducted more than 2,000 beach renourishment events costing roughly $9 billion with the majority funded by the federal taxpayer through the USACE's budget. The CBRA's mandate is to prevent the expenditure of federal tax dollars in support of coastal development and redevelopment. Federally funded sand mining is not in line with this mandate.

The 2024 BEACH Act amended the CBRA to specially address the limited circumstances in which federally funded sand mining in CBRA units could be allowed. The legislation contained a tightly constrained and narrow exemption for a handful of federal beach renourishment projects with unique circumstances. The Committee on Natural Resources' report that accompanied the bill named the four projects that qualified for the sand mining exemption, with the four projects named again during the House floor debate over the BEACH Act. It is clear that Congress intended that only these four federal beach renourishment projects would qualify for the limited exemption. The BEACH Act was passed unanimously by the House and the Senate, further clarifying that Congress did not intend for CBRA to be opened up for widescale, federally funded sand mining for areas outside of the system.

The unanimous bipartisan support for the 2024 BEACH Act continued a long history of bipartisan endorsement. The CBRA enjoys strong support from a wide cross-section of interests.

We urge you to rescind the March 2026 memo and reinstate the CBRA's full protections of fragile coastal areas and federal taxpayer funds that the law envisions.

Sincerely,

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cc: The Honorable Brian Nesvik, Director
U.S. Fish and Wildlife Service